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Application No.: 10/027,450

Attorney Docket No.: BB1126USDIV (7560\*30)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Saverio Carl Falco et al.

Application No.: 10/027,450

Group Art Unit: 1652

Filing Date: December 20, 2001

Examiner: Dr. Tekchand Saidha

For: PLANT BRANCHED-CHAIN AMINO ACID  
BIOSYNTHETIC ENZYMES

Conf. No. 1501

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants thank the Examiner for discussing the instant matter by telephone today, June 18, 2003, and for suggesting a solution. In this regard and pursuant to 37 CFR § 1.56, the following information is brought to the attention of the Examiner.

In reference to Paper 7C, Notice of Allowability, on page 4, paragraph 8, of the above-identified application, and per the Examiner's telephonic instructions on June 18, 2003, submitted herewith are clean copies of Forms PTO-1449 and PTO-892 originally filed in the present divisional application on December 20, 2001. The copies filed with the present application on that date inadvertently consisted of previously submitted, signed and initialed copies of the Information Disclosure Statements from parent U.S. Patent Application No. 09/173,300.

Applicants request that the cited references be considered by the Examiner as to the merits and that the Examiner kindly return to the Applicant's representative signed and initialed copies of the forms submitted herewith. No new information has been added to the clean copies, and the present Examiner previously considered these identical references in the parent application. Since benefit of the earlier filing date of



Application No.: 10/027,450

Docket No.: BB1126 USDIV (7560\*30)

U.S. Patent Application No. 09/173,300, filed October 15, 1998, is claimed under 35 U.S.C. 120 for the above-referenced application, and pursuant to 37 CFR § 1.98(d), copies of references previously provided with an Information Disclosure Statement in that earlier application are not provided herewith.

In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

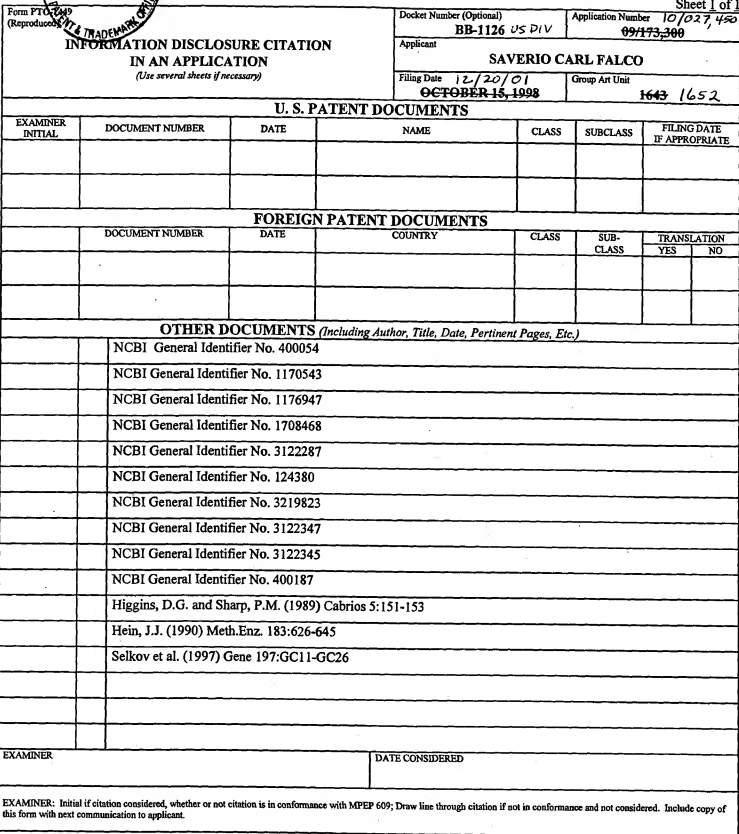
In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists.

Because these same references were disclosed in an Information Disclosure Statement that was filed within three months of the filing date of a national application, within three months of date of entry of the national stage, before the mailing of a first Office action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination, no fee is believed due. If any fees are due in connection with the filing of this paper, the Commissioner is authorized to charge such fees or credit any overpayment to Deposit Account No. 03-2775.

Respectfully submitted,  
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Sheet 1 of 1

Form PTO-1449  
(Reproduced)

# INFORMATION DISCLOSURE CITATION

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

BB-1126 USDIV

Application Number 10/027,450

09/173,300

Applicant

SAVERIO CARL FALCO

Filing Date 12/20/01

OCTOBER 15, 1998

Group Art Unit

1652  
4643

## U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
WO 94/08020	4/14/94	PCT	C12N 15	60	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.